

In re Patent Application of:
ROY
Serial No. 10/777,871
Filing Date: **February 12, 2004**

REMARKS

The Examiner is thanked for the thorough examination of the present application. The Examiner is also thanked for properly withdrawing the prior \$112 rejection, and the prior art rejection over Horstmann et al. The patentability of the claims is discussed below.

I. The Claimed Invention

The present invention, as recited in independent Claim 1, for example, is directed to a communications system that includes a plurality of mobile wireless communications devices each comprising a respective software client using at least one of a plurality of different operating protocols as configuration commands and instructions for accessing electronic mail and data systems to send at least one access request. The communications system includes a plurality of data storage devices for storing data files, each data file being associated with a respective mobile wireless communications device, each data file having a unique identification (UID) associated therewith, and each data storage device using at least one of the plurality of different operating protocols. The communication system also includes a protocol interface device including a protocol converter module for communicating with the plurality of mobile wireless communications devices using respective operating protocols thereof, and a protocol engine module for communicating with the plurality of data storage devices using respective operating protocols thereof. The protocol engine module is also for

In re Patent Application of:
ROY
Serial No. 10/777,871
Filing Date: February 12, 2004

initiating polling of the data storage devices for UIDs of data files stored thereon to maintain a new UID list current to within a polling interval. The protocol engine is also for cooperating with the protocol converter module to provide the new UID list to the mobile wireless communications devices upon receiving access requests therefrom, and initiating a supplemental polling based upon receiving the access requests to supplement the new UID list and provide the supplemented new UID list to the mobile wireless communications devices software client if new messages were determined during the supplemental polling.

Independent Claims 12 and 18 are directed to related protocol interface devices. Moreover, independent Claim 24 is directed to a related method, and independent Claim 29 is directed to a related computer-readable medium.

II. The Clams Are Patentable

The Examiner rejected independent Claims 1, 12, 18, 24, and 29 over Hoglund et al. Hoglund et al. is directed to a communications system for transmitting signals from a first communication device to a second communication device at a user specified real time and/or a polled transmission. More particularly, Hoglund et al. discloses a wireless messaging service that allows users to transmit and/or receive email and other messages on a real-time basis via an email account associated with the wireless communications device. Users can also check email messages stored within a separate POP or IMAP email account.

In re Patent Application of:
ROY
Serial No. 10/777,871
Filing Date: **February 12, 2004**

The Examiner contended that Hoglund et al. discloses a protocol engine module that is also for initiating polling of the data storage devices for UIDs of data files stored thereon to maintain a new UID list current to within a polling interval, for cooperating with the protocol converter module to provide the new UID list to the mobile wireless communications devices upon receiving access requests therefrom, and initiating a supplemental polling based upon receiving the access requests to supplement the new UID list and provide the supplemented new UID list to the mobile wireless communications devices if new messages were determined during the supplemental polling, as recited in the independent claims.

Applicant submits that the Examiner mischaracterized Hoglund et al., as it discloses a scheduler 610 notifying a message lookup manager 620 to retrieve messages on either an automatic basis, as programmed, or on a manual basis. The message lookup manager 620 accesses a message ID associated with each user stored on a message server and compares those with the message IDs that have already been downloaded to the proxy server, and downloads, via the message download manager 650, only those messages associated with message IDs that have not already been downloaded. The messages are converted and transmitted to a respective mobile wireless communications device when that device is set to receive messages. (See Hoglund et al., Paragraphs 0088-0096).

Indeed, in Hogland et al. a new message ID (UID) list is not being provided to the mobile wireless communications

In re Patent Application of:
ROY
Serial No. 10/777,871
Filing Date: **February 12, 2004**

devices upon receiving an access request therefrom, as in the independent claims. Additionally, nowhere in Hoglund et al. does it disclose that the protocol engine module is for initiating a supplemental polling based upon receiving the access requests to supplement the new UID list and provide the supplemented new UID list to the mobile wireless communications devices if new messages were determined during the supplemental polling.

Instead, in Hoglund et al., upon receiving a request, either automatic or manual, the message lookup manager 620 downloads new messages from the message server, and those messages are provided to the mobile wireless communications devices. Hoglund et al. does not perform a supplemental polling, as a single polling is performed either automatically, as scheduled, or manually. In other words, Hoglund et al. performs one polling per initiated request. (See Hoglund et al., Paragraphs 0088-0096). Accordingly, Hoglund et al. fails to disclose the claimed invention.

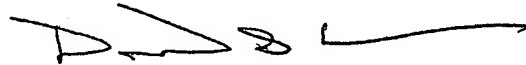
It is submitted that independent Claims 1, 12, 18, 23, and 29 are patentable over the prior art. Their respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

In re Patent Application of:
ROY
Serial No. 10/777,871
Filing Date: February 12, 2004

CONCLUSION

In view of the arguments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,



DAVID S. CARUS
Reg. No. 59,291
Allen, Dyer, Doppelt, Milbrath
& Gilchrist, P.A.
255 S. Orange Avenue, Suite 1401
Post Office Box 3791
Orlando, Florida 32802
Phone: 407-841-2330
Attorney for Applicant